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DE RUEHVN #0225/01 1011034
ZNY CCCCC ZZH
R 101034Z APR 08
FM AMEMBASSY VIENTIANE
TO RUEHC/SECSTATE WASHDC 1954
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHFR/AMEMBASSY PARIS 0264
RHHMUNA/CDR USPACOM HONOLULU HI

C O N F I D E N T I A L SECTION 01 OF 02 VIENTIANE 000225

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DEPARTMENT FOR EAP/MLS (BESTIC)
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E.O. 12958: DECL: 04/09/2012

TAGS: [CASC](#) [FR](#) [LA](#) [PGOV](#) [PHUM](#) [PREF](#) [PREL](#)

SUBJECT: HMONG PROTECTION ISSUES: CONVERSATION WITH THE
GOL POINT-MAN

REF: A. 08 VIENTIANE 157

- [1B.](#) 07 VIENTIANE 0761
- [1C.](#) 07 VIENTIANE 0639
- [1D.](#) 07 VIENTIANE 0364
- [1E.](#) 07 VIENTIANE 0110

Classified By: AMBASSADOR RAVIC R. HUSO FOR REASONS 1.5 (B) AND (D)

[11.](#) (C) Summary: The Ambassador met with MFA DG Yong Chanthalangsy (strictly protect) to raise the case of three missing Hmong Americans and to discuss the first group of 11 Hmong returned from Thailand at the end of February -- ten of whom are now resettled within Laos. The Ambassador pressed Yong to propose options for independent monitoring of returnees, stressing the need to build confidence in the process. Yong appeared willing to try to convince Lao security authorities to agree to some initial steps, such as unofficial visits to resettled returnees by Embassy personnel or possibly by international NGOs currently working in Laos. End summary.

The 11 -- Now 10 Returnees

[12.](#) (C) The Ambassador continued his discussion of a range of Hmong issues with MFA DG Yong Chanthalangsy on April 8. The two had discussed the welfare and monitoring of Hmong returned from Thailand, and possibilities for third country resettlement for Lao Hmong on March 6 (ref A) before the Ambassador's trip to Minnesota and Wisconsin where he met with members of the Hmong-American communities. Regarding the 11 Hmong returned from Thailand February 27 -- who had been in Paksan District of Bolikhamsai Province being screened -- Yong said they had now been moved on. Seven had been sent to their families in Xiang Khouang Province on March 21 while three others -- a mother and her two children -- had been sent back to their home in Luang Prabang Province on the same date. The eleventh had fled the screening site in Paksan on March 11 and, according to Yong, was back in Thailand. This man had returned with the woman and two children now in Luang Prabang and was the father of the youngest child, born in the Thai camp. He had claimed to the Thai to be from a group of insurgents who had surrendered in late 2006. Yong said the Lao had determined he had never been part of the insurgency but was actually from Luang Prabang where he was wanted for murdering his wife. When the individual learned that his true identity had become known to the Lao, he fled, Yong said.

Ensuring A Voluntary Return -- Outside Involvement

¶13. (C) The Ambassador pressed Yong on how Laos intended to demonstrate credibly to the international community that any Lao Hmong who may be returned from Thailand could do so safely. He stressed that many members of the international community (including the U.S.) considered that some form of monitoring would be necessary to achieve an acceptable level of confidence that the well-being, safety and rights of returnees would be respected. Moreover, the screening process in Thailand needed to be structured so as to ensure that those who may claim a well-founded fear of persecution have the opportunity to make their case. Yong repeated the well-established Lao position that the issue should be handled bilaterally between Thailand and Laos and should not be "internationalized." The Ambassador pointed out that refugee issues are by their very nature "internationalized" and that in the past the Lao had consented to monitoring of Hmong returnees. The international community has a legitimate and well-established stake in ensuring that international norms are applied in this situation.

¶14. (C) The Ambassador argued that the Lao should consider practical ways to allow for transparency regarding the treatment of returnees and propose specific ideas as to how to arrange for international observers to play a role. The Lao cannot realistically expect to keep the returnee issue a totally bilateral Lao-Thai process: trying to do so would only damage Lao relations with key elements of the international community and possibly with Thailand as well. Yong took this on board but rejected as &too great an infringement on Lao sovereignty⁸ suggestions for direct involvement by other countries (including those in ASEAN) or UN agencies in a monitoring process.

¶15. (C) Sharpening the focus to the whereabouts and welfare of the ten Hmong recently resettled, the Ambassador suggested

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that it would be an important confidence building measure if the Lao were to find a way for some outside party to visit them. The Ambassador pressed Yong to consider any and all possibilities, for example, allowing an Embassy officer or other independent person who "happened to be in the area" to stop by for a visit? Yong agreed that an &unofficial approach⁸ might be acceptable to the Lao. He then went a step further to suggest that international NGOs with an established presence in Laos might also be permitted to play a role in monitoring returnees.

Missing Hmong-Americans

¶16. (C) The Ambassador told Yong that there continues to be wide-spread interest among Hmong-Americans and the Congress in the fate of three Hmong Americans missing since August 25, 2007, who were last seen in the custody of Lao authorities. Yong expressed surprise and disappointment that MFA had not yet provided documents (departure cards) showing the three had left Laos for Thailand on August 28. Ambassador informed Yong that the Embassy had received copies of Thai entry documents for the three and could not understand why the Lao had failed to deliver the departure documents. Ambassador also made very clear that the Embassy and US government found the Lao failure to notify us that the three Americans were in Lao custody (even if for a short time) a violation of international commitments and norms. Yong did not address the broader issue of consular notification but said he recognized the importance of obtaining the documents from the immigration authorities and would do his best to get them to the Embassy.

The Next "Voluntary Return" Group

¶17. (C) Yong reaffirmed that he has been working confidentially with the French to return a group of 18 Hmong

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from Petchabun to Laos who would then be allowed to be

resettled to France. (Yong referred to 18 but it was not clear if he meant individuals or family cases.) Yong said the Lao were comfortable with the French approach of identifying specific individuals who they wanted to bring to France. He stressed that the arrangement hinged on France's willingness, first, to resettle them from Laos, not Thailand, and, second, their commitment to avoid publicly characterizing them as refugees, referring to them instead as approved immigrants. Yong was of the opinion that this arrangement would appeal to other Hmong who may have ties to France and encourage them to return to Laos voluntarily. He again suggested the US agree to a similar program. The Ambassador pointed out that the critical element for the US would remain the same: the necessity of a credible process for monitoring the welfare of returnees.

¶8. (C) Comment: Yong (who is clearly empowered to manage the returnee issue) had until now adhered strictly to the Lao public position of no outside or international monitoring of Hmong returnees or jungle Hmong who surrender to the government. Any flexibility in this position could serve as a confidence-building measure that could lead to greater openness and a more credible monitoring process. The Ambassador will continue to engage with senior Lao officials to pursue any and all openings that may present themselves for independent access to returnees. End comment.

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